

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 8173 of 2003

Between:

1 Sri D. Uma Maheswara Rao, S/o Suryanarayana,
West, A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

2 Sri K. Kanaka Raju, S/o Chitti,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

3 Sri S. Ramakrishna, S/o Varahalu,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

3 Sri K. Prasada Rao, S/o Viswanadham,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

5 Sri B. Laxmana Rao, S/o Late Ramapathi Rao,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

6 Sri S. Narasinga Rao, S/o Satyam,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

7 Sri V.V.S. Chandrasekhar, S/o V. Subba Rao,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

8 Sri Ch. S.V.V. Prasada Rao, S/o Anantha Rao,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

9 Sri D. Ramesh, S/o Seetharambabu,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

10 Sri A.V. Rama Rao, S/o Rambabu,
A.P. Eastern Power Distribution Co. Ltd, Visakhapatnam

R/o Visakhapatnam.

..... PETITIONERS

AND

1. The Chairman & Managing Director, Eastern Power Distribution Company of A.P.Ltd, Dabagardens, Visakhapatnam.
2. The Chief General Manager (EO&EXPR) I/C, APEDCL, Visakhapatnam.
3. The Superintendent Engineer, Operation Circle, APEPDCL, Opp.Green Park Hotel, Waltair Main Road, Visakhapatnam-2

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more especially one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in conducting the disciplinary proceedings against the petitioners in pursuance of the charge sheet vide FA & CCA/Peshi/D.No:82/03 dt.5.2.03 for the 1st petitioners and to the other petitioners charge sheet Nos.FA&CCA/Peshi/D.No.50;FA&CCA/Peshi/D.No.56;FA&CCA/Peshi/D.No.57;FA&CCA/Peshi/D.No.61;FA&CCA/Peshi/D.No.68;FA&CCA/Peshi/D.No.71; FA&CCA/Peshi/D.No.72; dated 23.01.2003 under Regulations 10(2)(a) of the APTRANSCO/DISCOMS disciplinary and Appeal Regulations, 1970 is illegal, arbitrary and malafide and without application of mind and violative principles of natural justice and set aside the same. Alternatively the respondents may be directed to supply of copies of all such documents sought to be relied upon and the respondents allow the petitioners to take assistance of defence assistant in view of the complicated nature of the allegations thrown at petitioners and appointment of enquiry officer should invariably be as per the Regulation 10(2)(a), and the petitioners may be allowed to exercise the right of appeal under Regulation 7(a), and the petitioners may be allowed to exercise the right of appeal under Regulation 7(a) of APRTANCO/DISCOMS Disciplinary Appeal Regulations, 1970.

Counsel for the Petitioners:MR.SRINIVASA RAO KESAPRAGADA

Counsel for the Respondent Nos.1 to 3: SMT. E.URMILA SC for APEPDCL

The Court made the following Order: (per TMK,J)

In view of the orders passed by this Court in W.A.No.1990 of 2004, dated 29.12.2004, no further orders are required to be passed in this writ petition.

Accordingly, the writ petition is dismissed. No costs.

T.MEENA KUMARI,J

29-12-2004

S.ANANDA REDDY,J

Lvl/usd

To

1. The Chairman & Managing Director, Eastern Power Distribution Company of A.P.Ltd, Dabagardens, Visakhapatnam.
2. The Chief General Manager (EO&EXPR) I/C, APEDCL, Visakhapatnam.
3. The Superintendent Engineer, Operation Circle, APEPDCL, Opp.Green Park Hotel, Waltair Main Road, Visakhapatnam-2
4. Two CD copies.